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ATTORNEYS AT LAW

October 3, 2003

Filed Electronically

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Meeting (WT Docket No. 02-146)

Dear Ms. Dortch

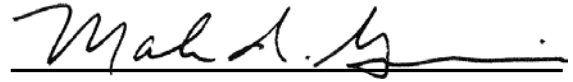
Yesterday, representatives of Cisco Systems, Inc., Loea Communications, and Terabeam Corporation met with Barry Ohlson of Commissioner Adelstein's office regarding the proceeding referenced above. Loea was represented by Thomas Cohen of The KDW Group; Terabeam was represented by Russell Fox of Mintz Levin Cohn Ferris Glovsky and Popeo; and Cisco Systems was represented by the undersigned. During the meeting, Messrs. Cohen and Fox and I summarized the course of the proceeding so far and the positions advanced not only by Cisco, Loea, and Terabeam, but by virtually all terrestrial commenters to date. The views expressed were consistent with those already covered in the written record.

We also discussed one new issue: namely, whether the industry's unanimous opposition to any channelization of the 71-76 GHz and 81-86 GHz bands would be consistent with a "soft channelization" approach to licensing, under which each licensee would be forced to choose a bandwidth between 1 and 5 gigahertz in each direction (in 1-gigahertz increments) and would be authorized only for that bandwidth. The parties present all urged the Commission to reject this approach in the interests of both efficiency and flexibility. As explained in more detail in an *ex parte* letter filed earlier today by Cisco, soft channelization would be inefficient because it would require the Commission and the public to jump through additional administrative hoops even where there is little prospect that more than one user will want to use bandwidth in the same "spatial pipe." While such cases of interference may arise as deployment densities increase, they will be small relative to the majority of cases in which there is no competing request for the same spatial pipe, and an existing user simply wants the ability to expand without additional regulatory hurdles. Furthermore, soft channelization would require the Commission to adopt numerous emission masks and other technical rules, and would limit the flexibility of equipment designers.

In addition, the parties present emphasized once again that it is the capacity for multi-gigabit speeds that makes the 70/80 GHz bands so attractive for the deployment of new

services. It would be a tragic mistake for the Commission to take the one and only Fixed allocation wide enough for multi-gigabit speeds and encumber it with licensing rules more appropriate for sub-gigabit links. There is already plenty of Fixed spectrum in lower frequencies at which users with sub-gigabit needs can be accommodated. We therefore urged the Commission not to squander the unique potential of the 70/80 GHz bands by adopting a "soft channelization" approach.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Mark A. Grannis", is written over a horizontal line.

Mark A. Grannis
Counsel to Cisco Systems, Inc.

Copies:
Barry Ohlson
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